

## The CASE of the Town of Great-Yarmouth in Norfolk, against South-Town.

**S**ir Robert Paston prefers a Bill in Parliament on the behalf of himself and the men of *South-Town* (as he calls them, being two Farmers of his) thereby suggesting, That they have by Charter the Priviledges of Lading and Unlading their own Merchandize and Goods out of their own Bottoms, at *South-Town*, or elf-where they please, and to make their profits and sale of them, first paying at *Great-Yarmouth* to the Kings Collector the Customs for Goods whereof Custom is to be paid; and prays, That this may be confirmed to them, their Heirs, and Successors.

[Note.] The place for which Sir Robert Paston desires this Priveledge consists of Two Farm-houses at *Great-Yarmouth* Bridge-foot, and of certain of his Marsh-grounds lying along the West side of the Haven of *Great-Yarmouth*; hath neither Boat nor Fisher-man, nor had time out of minde; have no Charter, nor are or ever were Incorporated, or capable to take by Charter, or to have their Priveledg go in succession, as they desire.

Against the passing of this Bill the Town of *Great-Yarmouth* object and say, That the sole right of discharging of all Vessels, and sale of all Goods, as well of Fish as other Meerhandise coming into the Haven of *Great-Yarmouth*, belong to them only and ought to be at the Town of *Great-Yarmouth*, and not elf-where within that Port: And for maintenance hereof they produce.

Their Charter of King John first Incorporating them, and reserving to the Crown a Fee-farm of 55 *l. per Annum*.

Their Charter 40 *H. 3.* and their Charter 34 *Ed. 1.* That all Merchandises and Wares, as well of Fish as of other things, whatsoever, which within the Haven of the Town of *Great-Yarmouth*, in Ships, or Boats, or otherwise, should be brought, that the same should be there bought and sold, and not elf-where within the said Port should be discharged, but should be there put to sale to whom the bringers would, being Freemen, without any Forestalment, Abrokership, or other let whatsoever.

The Process in the Exchequer, 34 *Ed. 1.* and in Chancery, 19 *Ed. 2.* wherein Judgments are given for the Town of *Great-Yarmouth* against the Towns of *South-Town* and *Gorleston*, upon the Point now in question; And the men of those Towns thereby adjudged Fore-stallers and Abrokers within the Purview of the aforesaid Charters, if they Unlade their own Vessels or Sell their own Goods there.

Their Charter, 6 *Ed. 3.* That *Little-Yarmouth* make no Sale upon the Water. And,

Their Charter, 7 *Ed. 3.* Whereby Tonnage, and the Profits thereof coming, are Granted to the Town of *Great-Yarmouth*, for their help towards the payment of their Fee-Farm, which duty they must loose, or be much hindred in, if Goods whereof Customs shall be paid to the King should be discharged elsewhere in that Haven.

Their Charters, 10 *E. 3.* That the Free Fair be kept, and Buying and Selling of Herrings be at *Great-Yarmouth* only, and not elf-where within seven Miles of the Port or Town of *Great-Yarmouth* during the Fair, which is by the space of forty days from *St. Michael* to *St. Martin* yearly.

Their Charter, 46 *Ed. 3.* Whereby a place in the High Sea called *Kirkeley Road* is granted to the Town of *Great-Yarmouth*, and united unto, and made parcel of their Haven of *Great-Yarmouth*, and that such Duties and Customs shall be paid for the Unlading of Vessels in that Road, as at *Great-Yarmouth*; And an Additional Fee-Farm of 5 *l. per ann.* therefore reserved to the Crown.

The Act of Parliament, 10 *Rich. 2.* Confirming all the former Charters and Liberties of *Great-Yarmouth*, which Act is subsequent to 35 *Ed. 3.* the time of the pretended Charter to *South-Town*, and to other the Printed Acts, 31 *Ed. 3.* &c. alledged by them for their rights: And which (notwithstanding any precedent Repeals of the Charters of *Great-Yarmouth*, if any there were in Parliament, or otherwise) hath set on foot and confirmed all the afore-mentioned Charters of *Great-Yarmouth*; And the same Charters have been since confirmed by all succeeding Kings and Queens of *England*, and their Liberties enjoyed accordingly to this day.

And particularly their Charter, 6 *Jac.* prohibiting Sale on *Suffolk* side, within four Furlong, of the Bridge of *Great-Yarmouth*, which comprehends the place in question) and that confirmed by His Majesty that now is.

And many other Charters for like purposes.

They say, That such Unlading on *South-Town* side would be a means either of hindring the King in His Customs; or of putting him to more charge in Officers to look after them.

They alledge, the savings of the Liberties of *Great-Yarmouth*, in the *Stat. 5. Eliz. cap. 5.* and other Statutes: They alledge divers Statutes for Regulation of the Herring, and other the Fishing-Trade, 22 *Ed. 4. cap. 2.* 11 *H. 7. cap. 23.* 13 *Eliz. cap. 11.* and particularly the Act of this present Parliament, wherein for prevention of abuses in the Packing and Ordering of Herrings, and bringing of that Commodity into Credit in Foreign Parts, it is Enacted, That no Herrings of English-catching shall be put to Sale, but what shall be Packed in lawful Barrels, in such sort as is there provided, by a sworn Packer, the Vessel marked with a Brand, denoting its Cage, the Quantity and Condition of the Herrings, and the Town whence they are Packed; and that the Bayliffs of *Great-Yarmouth* shall yearly for their Haven appoint and swear able Packers, to view and pack all Herrings brought into that Haven, upon the penalty of 100 *l.* that by these Statutes great Penalties are inflicted upon the Offenders, and some of them to be to the Town of *Great-Yarmouth*, and that particularly toward the repair of their Haven; from all which, if this Act passes, the Two Men of *South-Town* at present, and probably more of them hereafter, will be totally exempt, they not being within the Jurisdiction of *Great-Yarmouth*, and there being no Provision made for the regulating of their Fisheries or Trade, but they to be at large, and priviledged and trusted to be honest beyond the whole Kingdom.

They alledge, as the truth is, their great burthens in maintaining their Peer, 2000 *l. per annum*, their Pier at the mouth of their Haven, a great and costly undertaking, scarce maintained at 1000 *l. per Ann. Communibus Annis*, and which at first making cost above 30000 *l.* and that it is not reasonable others should partake of the benefit, without proportionable share in the Charge; much less that by Consequence of immunity and ease from these common burthens on *South-Town* side, they should in time draw away and rob the Men of *Great-Yarmouth* of their Trades and Liveyhoods.

That without continual Supplies of great quantities of Timber (of which the Town useth seldom to have less then 500 *l.* worth lying ready by for present occasions and Dangers, but have not now one Tree there, and are indebted at least 2000 *l.* for Timber already spent; and if this Act pass, will have no further Credit to borrow, nor have any Common-stock or Lands) and without daily labour and cost, their Pier will be soon washt away with the Rage of the Sea, and the Mouth of the Haven stopped by the Sands, and consequently, that Famous Harbour lost; the Town of *Great-Yarmouth*, one of the most considerable Ports in his Majestie's Dominions, destroyed and become desolate; the Merchants and other Trades-men decaying, or withdrawing themselves, many thousands of Families perish, many thousands of Acres of Marsh and Low Grounds surrounded; the Revenues of the Lands of all those parts of *Norfolk* and *Suffolk* by thirty miles at least, much lessend; the Strength and Defence of that part of the Kingdom weakened and indangered, and other inconveniencies follow not to be fore-seen, and after not to be prevented.